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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN BISHOP,)	
)	2:11-cv-02589-GEB-DAD
Plaintiff,)	
)	
v.)	<u>ORDER RE: SETTLEMENT AND</u>
)	<u>DISPOSITION</u>
MONARCH RECOVERY MANAGEMENT,)	
INC.,)	
)	
Defendant.)	
_____)	

Plaintiff filed a "Notice of Settlement" on November 17, 2011, in which he states, "a settlement of the present matter has been reached and . . . Plaintiff anticipates [the settlement] will be finalized within the next 30 days." (ECF No. 8.)

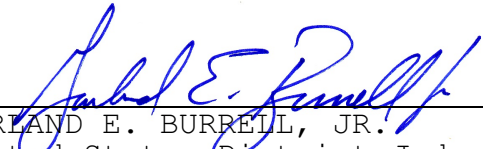
Therefore, a dispositional document shall be filed no later than December 19, 2011. Failure to respond by this deadline may be construed as consent to dismissal of this action without prejudice, and a dismissal order could be filed. See E.D. Cal. R. 160(b) ("A failure to file dispositional papers on the date prescribed by the Court may be grounds for sanctions.").

Further, the Status Conference scheduled for hearing on January 30, 2012, will remain on calendar in the event no dispositional

1 document is filed, or if this action is not otherwise dismissed.¹ A joint
2 status report shall be filed fourteen (14) days prior to the Status
3 Conference.

4 IT IS SO ORDERED.

5 Dated: November 17, 2011

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9 GARLAND E. BURRELL, JR.
10 United States District Judge
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25 _____
26 ¹ The Status Conference will remain on calendar, because the
27 mere representation that a case has been settled does not justify
28 vacating a scheduling proceeding. Cf. Callie v. Near, 829 F.2d 888, 890
(9th Cir. 1987) (indicating that a representation that claims have been
settled does not necessarily establish the existence of a binding
settlement agreement).